

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**In re:**

**Lenora L. Givens**

**Debtor.**

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: **Case No.: 21-05530**  
: **Chapter 13**  
: **Judge LaShonda A. Hunt**  
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**NOTICE OF MOTION**

TO: See attached list.

PLEASE TAKE NOTICE that on October 1, 2021, at 10:15 a.m., I will appear before the Honorable Judge LaShonda A. Hunt, or any judge sitting in that judge's place, and present a Motion for Relief from Stay, a copy of which is attached.

**This motion will be presented and heard electronically using Zoom for Government.** No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

**Meeting ID and password.** The meeting ID for this hearing is 161 165 5696 and the password is 7490911. The meeting ID and password can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

JPMorgan Chase Bank, N.A

By: /s/Edward H. Cahill

Edward H. Cahill (0088985)  
Manley Deas Kochalski LLC  
P.O. Box 165028

Columbus OH 43216-5028  
Contact email is [ehc@manleydeas.com](mailto:ehc@manleydeas.com)

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached motion upon the parties listed below, by causing same to be mailed in a properly addressed envelope, postage prepaid, on the below listed date, unless a copy was provided electronically by the Clerk of the Court.

Date September 14, 2021

/s/Edward H. Cahill

Signature

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Glenn B Stearns, 801 Warrenville Road Suite 650, Lisle, IL 60532,  
mcguckin\_m@lisle13.com

David M Siegel, Attorney for Lenora L. Givens, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on September 14, 2021:

Lenora L. Givens, 2118 Manico Drive, Crest Hill, IL 60403

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**In re:**

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**Debtor.**

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**Case No.: 21-05530**

**Chapter 13**

**Judge LaShonda A. Hunt**

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**MOTION OF JPMORGAN CHASE BANK, N.A FOR RELIEF FROM THE  
AUTOMATIC STAY REGARDING THE PERSONAL PROPERTY KNOWN AS 2016  
CHEVROLET MALIBU, VIN 1G1ZE5ST0GF256006**

JPMorgan Chase Bank, N.A (the "Creditor"), by and through the undersigned counsel, files this Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. § 362 and other sections of Title 11 of the United States Code, and under Federal Rules of Bankruptcy Procedure 4001 and 6007 for an order conditioning, modifying, annulling, or dissolving the automatic stay, averring as follows.

**MEMORANDUM IN SUPPORT**

1. The Court has jurisdiction over this matter under 28 U.S.C §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2). The venue of this case and this Motion is proper under 28 U.S.C. §§ 1408 and 1409.
2. On or about January 14, 2017, Lenora L. Givens (the "Debtor") obtained a loan from JPMorgan Chase Bank NA in the amount of \$25,000.34 for the purchase of a 2016 Chevrolet Malibu VIN 1G1ZE5ST0GF256006 ("Collateral"). Debtor agreed to make periodic payments to JPMorgan Chase Bank NA. Such loan was evidenced by a Retail Installment Contract - Motor Vehicle - Simple Interest (the "Contract"), a copy of which is attached hereto as Exhibit A.

3. To secure payment of the Contract, Creditor or Creditor's predecessor-in-interest properly perfected its security interest in the Collateral by delivering the existing State of Illinois Certificate of Title of a Vehicle or the application for a State of Illinois Certificate of Title of a Vehicle containing the name and address of the lienholder and the required fee to the Illinois Secretary of State pursuant to 625 ILCS 5/3-202. A copy of the State of Illinois Certificate of Title of a Vehicle (the "Title") is attached hereto as Exhibit B.
4. Creditor believes the Clean Retail Value of the Collateral \$15,875.00 based upon J.D. Power Used Cars/Trucks, a copy of which is attached hereto as Exhibit C.
5. On April 27, 2021, Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code ("Petition").
6. Post-petition payments have been received, therefore a post-petition payment history is attached as Exhibit D.
7. Debtor has failed to make full post-petition payments in the amount of \$429.34 for the June 28, 2021 payment and \$439.67 for the July 28, 2021 through August 28, 2021 payments and is in default in the amount of \$1,308.68.
8. As of September 6, 2021, there is currently due and owing on the Contract the outstanding principal balance of \$10,452.39, plus interest accruing thereon at the rate of 7.99% per annum from May 28, 2021.
9. Creditor seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d) to proceed under applicable nonbankruptcy law to enforce its remedies to repossess and sell the Collateral.
10. Creditor is entitled to relief from the automatic stay for the following reason(s):
  - a. Creditor lacks adequate protection of its secured interest in the Collateral pursuant to 11 USC § 362(d)(1) as a result of Debtor's failure to make payments when due.

WHEREFORE, JPMorgan Chase Bank, N.A respectfully requests this Honorable Court to enter an order terminating the Automatic stay as it affects the interests of JPMorgan Chase Bank, N.A in the Collateral, and granting such other relief as this Honorable Court may deem just.

Respectfully submitted,

/s/Edward H. Cahill

Edward H. Cahill (0088985)

Todd J. Ruchman (6271827)

Keith Levy (6279243)

Adam B. Hall (0088234)

Stephen R. Franks (0075345)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Edward H. Cahill.

Contact email is [ehc@manleydeas.com](mailto:ehc@manleydeas.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Motion of JPMorgan Chase Bank, N.A for Relief from the Automatic Stay regarding the Personal Property known as 2016 Chevrolet Malibu, VIN 1G1ZE5ST0GF256006 was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Glenn B Stearns, 801 Warrenville Road Suite 650, Lisle, IL 60532,  
mcguckin\_m@lisle13.com

David M Siegel, Attorney for Lenora L. Givens, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on  
September 14 \_\_\_\_\_, 2021:

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/s/Edward H. Cahill  
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